



DEPARTMENT OF BUSINESS AFFAIRS AND CONSUMER PROTECTION
CITY OF CHICAGO

LICENSE PLAN OF OPERATION

Licensee: Epiphany Partners LLC d/b/a: Epiphany Center for the Arts ("ECA")
Premises: 201-11 S. Ashland Chicago, IL 60607
Application Type: Public Place of Amusement License, Consumption on Premises –
Incidental Activity, Retail Food Establishment and Outdoor Patio License
Account Number: 427009
Site Number: 1

Pursuant to City of Chicago Municipal Code ("M.C.C.") Sections 4-60-040 (h) and 4-156-311 (d)3(A), the Department of Business Affairs and Consumer Protection ("BACP") / Local Liquor Control Commission ("LLCC") of the City of Chicago and the above named Licensee have agreed to the issuance of a Consumption on Premises – Incidental Activity, Public Place of Amusement License, Retail Food Establishment and Outdoor Patio Licenses (collectively "Licenses") under the following conditions:

Hours of Operation –Licensee shall open no earlier than 6:00 a.m. and close no later than 12:00 a.m. on Sunday – Thursday, and 1:00 a.m. on Friday and Saturday. Licensee shall initiate its "soft closing" procedures thirty (30) minutes before closing time. Additionally, Licensee shall ensure that no patron or non-employee of the establishment be on the Premises after closing time. Furthermore, no person (manager, owner, staff or otherwise) shall consume any alcoholic beverage on Premises after closing time.

Outdoor Patio – Licensee shall abide by Chapters 4-60-050(c) of the City of Chicago Municipal Code concerning the prohibition of any live music/TV being played or performed in any outdoor patio. Said prohibition shall also apply to any temporary structure or tent erected on any outdoor patio. Hours of operation for the outdoor patio shall be 8 am – 10:00 p.m. Sunday through Thursday and - 10:30 p.m. on Friday and Saturday.

Operation – Licensee's primary use is an event venue and eating and drinking establishment, including but not be limited to weddings, banquets, receptions, corporate events, galas, non-profit fund raisers, community events, concerts, live entertainment, DJ's-, theater, art studios, /galleries, dance instruction and other performing arts. Licensee shall not operate the Premises as a dance club, tavern, cocktail lounge, night club, adult entertainment facility, or cabaret(the "**Prohibited Uses**"). Licensee further agrees not to promote a professional nationally/internationally acclaimed headliner DJ and that any DJ used on the Premises shall



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only be for special events. The operation of one or more of the Prohibited Uses shall be deemed a violation of this Agreement. Licensee shall not operate a rooftop deck. Licensee shall not operate as a place that primarily serves alcoholic liquor for consumption on the premises.

Occupancy – Licensee shall enforce maximum capacity of patrons pursuant to the occupancy placards posted in each space throughout the premises. Licensee staff members will be stationed throughout the interior of the premises to monitor patrons entering each space. Licensee will not exceed its permitted occupancy at any time.

Excessive Noise – Licensee will prevent excessive noise from music and/or patrons during business hours by posting signage at the door including, "Please Respect Our Neighbors, Please Exit Quietly." Licensee shall comply with all applicable provisions of the Chicago Noise and Vibration Control Ordinance. In addition to signage, licensee shall have security staff posted at the front door to monitor and card patrons and respectfully but firmly request departing patrons to leave quietly. Licensee's security will be responsible for enforcement of their security policies, all of which shall be consistent with this Plan of Operation and all local, state and federal laws. Licensee shall monitor noise levels (from music and patrons) emanating from the Premises and the outdoor patio and shall take immediate action to alleviate and abate any excessive noise at any time while the Premises are in operation. Licensee shall regularly monitor the area around the Premises during all of its business hours in order to address and abate any potential noise complaints involving Licensee's business. Licensee will close all windows and garage doors at 10:00 p.m. to abate any sound issues. Licensee shall provide an email address and a direct cell phone number to any residential neighbor who requests same in order for said residential neighbor to contact the manager on duty regarding noise complaints.

Obtrusive Customer Behavior – If a customer inside the Premises is acting obtrusively, security staff and/or the manager on duty are instructed to kindly approach the customer and request that the customer leave the Premises. In addition, the manager on duty or security staff will assist the customer in getting a taxi, or if with friends, the manager on duty and/or security staff will also kindly request the friend(s) to please leave quietly with the obtrusive customer. In any event, assistance with getting a taxi will be offered.

Loitering at Front Door – While there will generally be some customer traffic at the front door, customers and other individuals will not be allowed to loiter in front of the premises. Licensee shall allow the formation of a line on the exterior of the Premises to the north or south of the Premises entrances, not to exceed property line. Any additional people seeking entry shall be refused and quietly disbursed from the area by security staff firmly telling them they need to leave. A security guard shall be dedicated to the line to ensure that those waiting in line are respectful of the neighborhood by keeping the noise level to a minimum. Security staff will also walk the front and rear of the Premises' exterior at regular intervals, to confirm that no individuals are loitering near the premises out of direct sight from the cameras or security staff.



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The security camera system will also be utilized to monitor, record and preserve all exterior activity. The Licensee shall ban unauthorized people from loitering and trespassing and shall enforce the ban by instructing unauthorized people to leave and calling the Police if they do not obey.

Rear Door – The rear doors of the Premises shall not be used for patrons entering or exiting the Premises. The rear doors shall remain secure during all hours of operation and shall be used on "as needed" basis, including for purposes of loading and unloading for events, entertainment, food and beverage services. Patrons may exit the Premises through the rear door in the event of an emergency only.

Accumulation of Litter – In addition to secure exterior ash trays, Licensee will control the accumulation of litter from its customers and other individuals by maintaining a routine sweep of litter outside the Premises by its staff. The walk around sweeps will occur at opening and closing, with the final sweep each night of operation to include a sweep of litter around the Premises. The Licensee shall thoroughly clean the exterior of the Premises daily to remove any trash and litter. Licensee shall maintain sufficient trash containers to accommodate any additional waste generated. The Licensee shall ensure that all trash containers shall be fitted with a tight-fitting lid that shall be kept covered and/or locked except when opened for the disposal or removal of garbage. Licensee shall keep garbage containers in good repair and limit disturbance to immediate residential neighbors by limiting the loading of garbage containers in the alley primarily between the hours of 8:00 a.m. and 10:00 p.m. All reasonable care will be taken to limit noise and disturbance when garbage is being loaded at any other time.

Fights, Verbal Harassment and Criminal Activity – In the event of criminal activity outside, on or within sight of the Premises, security staff and the manager on duty are responsible to call 911 for emergencies. In the event of any such activity occurring within the Premises, the manager on duty and security staff are instructed to immediately contact police, turn up lights, turn off music, intervene in a manner consistent with the safety of all individuals and if possible remove any offenders from the Premises.

Pedestrian Traffic – When an interior line is not possible, Licensee will mitigate interference with pedestrian traffic in front of the premises by creating a line along the Premises, north and south of the entrance, but not beyond the property line, for entering patrons and utilize security staff to move patrons quickly through the line. In the event the Premises reach maximum capacity, a line of people will be maintained along the front of the Premises, north and south of the entrance, and all others will be encouraged to depart by security. A security guard will be dedicated to the line to ensure that those waiting in line are respectful of the neighborhood by keeping the noise level to a minimum.



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Traffic Flow –Licensee shall ensure that taxis and other vehicles dropping off passengers at the Premises do so efficiently so that the flow of street traffic is not disturbed. Licensee shall encourage public means of transportation by posting appropriate signage on the interior of the Premises.

Package Goods – Licensee will not sell package goods for consumption off the Premises.

Sale of Tobacco Products/Accessories to Minors Prohibited –Licensee agrees that it will not sell tobacco products or tobacco accessories. Smoking will be prohibited completely on the Premises. Licensee will enforce all applicable City of Chicago and State of Illinois non-smoking laws as they relate to both the interior and exterior of the Premises.

Legal Identification Program – Licensee shall have all staff responsible for alcohol service and responsible for security to be trained by BASSET certified managers, and, have such personnel take and pass a required BASSET test and will ask all patrons to submit proper forms of legal identification prior to selling any liquor. Staff will take pro-active steps to prevent the intoxication of patrons. Copies of certification (including recertification copies and each newly hired employee) will be given to the Chicago Police Department or BACP. Staff shall make use of an identification scanner to help prevent the sale of alcohol to minors.

Employees – General management will be the responsibility of the Manager and Ownership of Epiphany. Alcohol serving staff and security staff will be required to hold Beverage Alcohol Sellers and Servers Educational and Training (BASSET) certification by the Illinois Liquor Control Commission. Staff will be trained with respect to the detection of fraudulent identification. Such training shall be bi-annual regardless of each staff member's term of employment. All staff will be trained to identify intoxicated patrons and will take pro-active steps to prevent the intoxication of patrons. The Licensee and his agents shall fully cooperate with the Department of Business Affairs and Consumer Protection (BACP) and the Chicago Police Department (CPD) in all inspections and investigations.

Door Policies/Admission for Performances – Patrons entering establishment must be 17 years old or older and will be required to produce a valid Illinois Liquor Control Commission approved identification at the front door and must be 21 years old or older and will be required to produce a valid Illinois Liquor Control Commission approved identification at the front door if alcohol is being served at the event. Adequate proof of age and identity of an individual in Illinois is a document issued by a federal, state, county or municipal government including, but not limited to, a driver's license, selective service card or an Armed Services identification card. Prior to and as a condition of their employment, security staff will have received training to detect fake licenses or identification cards in order to ensure that no underage drinking takes place on the premises. Licensee's security staff at the entrance shall always strictly enforce the occupancy limits.



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Outdoor Lighting – The Licensee shall install and maintain adequate lighting of licensed Premises including any alleyway accessible by the business to ensure the safety of all patrons and employees. The lighting shall produce discernable images from a distance of 15 feet in front and on all sides of each entry and exit.

Security Cameras / Video Surveillance – The Licensee shall install a 32-camera security system inside and outside of the Premises as follows:

- a) The camera system shall have 12 exterior wide-angle high-definition cameras and 20 interior high-definition cameras;
- b) The cameras are sufficiently light sensitive and provide sufficient image resolution to produce easily discernable images;
- c) The images recorded by the cameras shall be capable of being viewed through use of compact disc, electronic file transfer and other digital media and shall be capable of being transferred to a variety of portable form of media including, but not limited to, compact disc and digital video disc;
- d) The cameras shall view and shall be able to record images of persons and cars 1) along the Premises' alleys; 2) outside the Premises; 3) inside the Premises and 4) on the sidewalks adjacent to the Premises;
- e) The cameras shall be able to record discernable images from a minimum of 10 feet in front of and on the sides of any entrance to the Premises and shall be linked into the Office of Emergency Management and Communications ("OEMC") video surveillance network in accordance with OEMC's Private Sector Camera Initiative;
- f) The Licensee shall maintain video recordings within its offices for a minimum of 30 days and indexed by date and time. All recordings shall be stored at the Premises in a secured manner and shall be made available to the City of Chicago Police Department, local liquor control commissioner or other authorized government personnel upon request;
- g) Licensee shall post signage in a conspicuous manner and at appropriate locations notifying the public that video surveillance cameras are in operation.

Security Staff – The Licensee shall employ an independent licensed and bonded security personnel ("Bonded Security") firm and in-house security personnel ("Epiphany Security") to provide the following services:



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Licensee shall have the exterior of the Premises monitored by an appropriate number of Bonded Security based on occupancy and square footage of the Premises open to the public throughout the hours of operations (during which liquor is served) and one hour before and one-half hour after. Epiphany Security shall patrol the outside of the Premises, including the alley and frontage, and the 1500 blocks of Jackson Blvd and Adams St to proactively deter any public nuisance issues including, but not limited to, noise, loitering, line management, litter and traffic.

- a) Bonded Security and Epiphany Security shall wear insignia that easily identifies them as security personnel while on duty;
- b) Bonded Security and Epiphany Security shall patrol within and outside the Premises to ensure customers conduct themselves in a lawful manner;
- c) Bonded Security and Epiphany Security shall take affirmative steps to move loiterers and trespassers outside the business and adjacent residences away so that sidewalks and entrances to the Premises are not impeded;
- d) Licensee shall report any criminal activity to the Chicago Police Department.
- e) Licensee shall maintain a logbook of all illegal activity reported or required to be reported to the Chicago Police Department, as required under Section 4-60-141 of the Chicago Municipal Code, and
- f) Bonded Security, Epiphany Security and other employees shall sign complaints and testify in judicial and administrative proceedings as necessary;
- g) Licensee shall ensure that Bonded Security and Epiphany Security will make it a priority to prevent the entry of intoxicated and disorderly patrons.
- h) Bonded Security and Epiphany Security shall prevent drinking on the public way or carrying alcohol outside of the Premises.
- i) Bonded Security and Epiphany Security shall wand patrons prior to entering the Premises.

Non-Smoking Laws – Licensee will enforce all applicable City and State non-smoking laws as they relate to both the interior and the exterior of the Premises.

Entertainment – Licensee shall not rent the Premises to any promoter, or operate as a nightclub, or allow any event to take place where Licensee vacates the Premises and allows a third-party to hire their own staff (bartenders, servers, hosts and security). All entertainment offered at the Premises shall be booked by Licensee.



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Dance Floor – Licensee shall not have nor build a permanent or fixed dance floor and may only install a temporary dance floor on an event by event basis.

Expansion – Licensee agrees not to expand the Premises without first applying to the City of Chicago for the right to expand the Premises and notifying the community of said application in a timely manner.

Late Hour License – Licensee agrees that it will not, at any time, apply for a City of Chicago Late Hour Liquor License.

Valet Service – Licensee will utilize a valet company to relocate patrons' vehicles and shall ensure all contracted Valet companies are in compliance with the City of Chicago operating procedures and are in "good standing" with the Illinois Secretary of State. The proposed loading zones on the east side of Ashland and north side of Adams, adjacent to the Premises, shall be used for valet zones. Licensee shall ensure that the valet service is operating efficiently and professionally. Licensee shall use its security personnel to ensure that patrons keep quiet while waiting in line and shall prevent patrons from blocking the public way and discourage any illegal parking of vehicles by its patrons in front of and around the Premises by refusing to service any such person who is parking their vehicle illegally. Licensee's security personnel will monitor the exterior of the Premises to prevent and deter patrons from parking illegally. Chicago businesses must comply with all relevant federal, state and city laws and rules including MCC 4-232. Adequate personnel will be posted by the valet service to ensure that the service is operating efficiently and professionally.

Evacuation Plan – Licensee will have an evacuation plan that has been approved by the Chicago Fire Department in case of an emergency. All personnel will be aware of the plan and will know how and when to evacuate all patrons as efficiently as possible.

Management –

- a) Licensee and/or the Licensee's Manager shall train all staff on the procedures as required in this Plan of Operation;
- b) Licensee and his agents shall fully cooperate with the Local Liquor Control Commission (LLCC), Department of Business Affairs and Consumer Protection (BACP) and the Chicago Police Department (CPD) in all inspections and investigations. Licensee shall, upon request, produce any records that have been requested by the above listed **within ten (10) business days** of such request.



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c) Licensee shall immediately address any public nuisance issues which adversely impact the health, safety and welfare of the community.

d) Licensee shall ensure compliance with the accessibility provisions of the Chicago Building Code and Illinois Accessibility Code.

Signage –Licensee shall post signs in conspicuous and prominent locations as follows:

1) "no loitering allowed"; 2) "you are being videotaped"; 3) "respect neighbors, leave quietly"; 4) "parking is available across the street"; signs shall be posted inside and outside the Premises.

Meetings and Cooperation with Chicago Police Department – On a regular basis, Licensee shall attend hospitality 012th District C.A.P.S. (Community Alternative Policing Strategy) meetings, meetings with the office of the Alderman, Police Commander and any similar CPD-sponsored meetings to improve awareness with community concerns of the neighborhood. Licensee and his agents shall fully cooperate with the Department of Business Affairs and Consumer Protection (BACP) and the Chicago Police Department (CPD) in all inspections and investigations.

Community Participation –Licensee shall work with the local alderman and local community groups at their request and upon reasonable notice to identify and address any issues with the operation of the business, including noise, loitering, crime and other quality of life issues.

The conditions of the licenses issued pursuant to this Plan of Operation are legally binding and may be enforced by the City of Chicago enforcement authorities under **MCC 4-60-040**. All other conditions of the licenses are governed by the City of Chicago Municipal Code. Violation of the above stated conditions may result in the imposition of a fine and/or suspension or revocation of all business licenses issued to Licensee. Violation of the above stated conditions may also result in the issuance of Cease and Desist Orders prohibiting the activity which violates the conditions of the liquor license.

The conditions of the licenses issued pursuant to this Plan of Operation shall apply to the business address and license and to all officers, managers, members, partners and direct or indirect owners of the licensed entity. The sale of the Licensee to other persons purchasing the membership units of the licensed entity does not void the conditions of the licenses. Any and all potential new owners of the licensed entity shall be subject to the same conditions set forth in this Plan of Operation. Any new owners shall notify the local alderman of the change in the majority ownership or control of the licensed entity within thirty (30) days of such change and meet with the local alderman to discuss potential revisions or changes to the Plan of Operation.



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It shall be the duty of every person conducting, engaging in, operating, carrying on or managing the above-mentioned business entity to post the plan of operation next to the all licenses in a conspicuous place at the business address.

Licensee:

Epiphany Partners LLC d/b/a: Epiphany
Center for the Arts
Business Address: 201 - 11S. Ashland
Chicago, IL 60607

David L. Chase
West Loop Entertainment LLC, Manager of
Epiphany Partners LLC

Shannon K Trotter
Commissioner
Local Liquor Control Commission
City of Chicago

7-31-19
Date